GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

EFS&T Department - Diversion of 0.15 ha of forest land falling in Compartment nos.83 of Pasuvemula RF, Nagulavaram Beat & Compartment no.77, Kandlakunta RF, Koppunur Beat, VVijayapuri South Section & Range, PT Markapur Division (erstwhile Markapur WL Division)(also falling buffer area of NagarjunasagareSrisailam Tiger Reserve & part of Rajiv Gandhi Wildlife Sanctuary) in favour of M/s Jio Digital Private Limited, for laying optical fibre cable along the road within the existing Right of Way (RoW) for providing 4G communication in the State of Andhra Pradesh – In-principle (stage-I) approval accorded.

ENVIRONEMNT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.Ms.No.48 **Dated.09.08.2023**

Read the following:-

1)Comprehensive guidelines issued by GoI, MoEF&CC, New Delhi in letter F.No.5-2/2017-FC, dated 28.03.2019.

2)From the PCCF & HoFF, Lr.Ref.no.EFS02-15026/9/2019-FCA SEC PCCF/FCA-1, Dated:28.06.2023.

***

ORDER:

In the letter 2nd read above, the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, has submitted a proposal for diversion of 0.15 ha of forest land falling in Compartment nos.83 of Pasuvemula RF, Nagulavaram Beat & Compartment no.77, Kandlakunta RF, Koppunur Beat, VVijayapuri South Section & Range, PT Markapur Division (erstwhile Markapur WL Division)(also falling buffer area of NagarjunasagareSrisailam Tiger Reserve & part of Rajiv Gandhi Wildlife Sanctuary) in favour of M/s Jio Digital Private Limited, for laying optical fibre cable along the road within the existing Right of Way (RoW) for providing 4G communication in the State of Andhra Pradesh and requested to taken necessary Under Forest (Conservation) Act,1980.

2. After careful consideration of the proposal and in view of the powers delegated by the GoI, MoEF&CC, New Delhi in the letter 1st read above, the Government hereby accord in-principle (Stage-I) approval under section-2 of Forest (Conservation) Act, 1980 for diversion of 0.15 ha of forest land falling in Compartment nos.83 of Pasuvemula RF, Nagulavaram Beat & Compartment no.77, Kandlakunta RF, Koppunur Beat, Vijayapuri South Section & Range, PT Markapur Division (erstwhile Markapur WL Division)(also falling buffer area of Nagarjunasagar-Srisailam Tiger Reserve & part of Rajiv Gandhi Wildlife Sanctuary) in favour of M/s Jio Digital Private Limited, for laying optical fibre cable along the road within the existing Right of Way (RoW) for providing 4G communication in the State of Andhra Pradesh, subject to the following conditions:

i. Legal status of the diverted forest land shall remain unchanged;

ii. Demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at the appropriate distance as decided by the DFO concerned, at the cost of User Agency;

iii. The State Forest Department shall carry out Compensatory Afforestation over an extent of 1.00 ha of degraded forest land identified in Compartment no.175, ENB-X RF, Komarolu Beat, Y.Palem Section, Y.Palem Range of PT Markapur at the cost of the User Agency;

[Contd..P2]

iv. The State Forest Department shall charge the Net Present Value of the diverted forest land measuring 0.15 ha from the User Agency as per the orders of the Hon'ble Supreme Court dated.28.03.2008 and 09.05.2008 in IA Nos.826 in 566 with related IA's in Writ Petition(Civil)No.202/1995 and Ministry's guidelines no.5-3/2011-FC(Vol-I) dated.06.01.2022 and clarification issued vide letter dated.19.01.2022 and 22.03.2022;

v. Additional amount of the Net Present Value(NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the user agency. The user agency shall furnish an undertaking to this effect;

vi. All the funds received from the user agency under the project shall be transferred/deposited to CAMPA fund only through e-portal *(https: //parivesh.nic.in /)*;

vii. The forest land shall be restored to its original state after laying the same;

viii. **The User Agency shall obtain prior approval from the SC-NBWL before commencement of the work and State Forest Department shall ensure all required clearance / approvals before issuing of working permission; this approval is subject to the prior approval of the SC-NBWL;**

ix. The User Agency shall submit RoFR certificate in the Ministry's prescribed format before issuance of Stage – II approval;

x. The muck generated in the earth cutting if any, will be disposed off at designated dumping sites and in no case the muck / debris will be disposed off in the forest areas;

xi. No labour camp shall be established on the forest land;

xii. Sufficient firewood, preferably the alternate fuel, shall be provided by the user agency to the labourer after purchasing the same from the State Forest Department or the Forest Development Corporation or any other legal source of alternative fuel.

xiii. The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the State Government;

xiv. The layout plan of the proposal shall not be changed without the prior approval of the State Government;

xv. Minimal disturbance should be ensured by creating labour camps outside the forest area as far as possible and it will be the responsibility of the UA to ensure that the labourers & staff engaged in execution of work do not destruct nearby flora & fauna;

xvi. The total forest area to be utilized for the project shall not exceed **0.15 ha** and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal;

xvii. No additional or new path will be constructed inside the forest area for transportation of construction materials for execution of the project work;

[Contd..P3]

xviii. User agency and the State Forest Department shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;

xix. Any other conditions that the Central Government or State Government may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the user agency;

xx. Compliance report on the above conditions shall be processed and submitted through e - port al *(https://parivesh.nic.in/)* ;

xxi. In the event of failure to comply with any of the above conditions the user agency is liable for penal action as provisions of rules / guidelines made under FCA , 1980;

xxii. After receipt of the compliance report on above mentioned conditions, the proposal will be considered for final approval. This in-principle approval shall be valid for a period of 5 years from the date of issue of this order. In the event of non-compliance of the above conditions, this in-principle approval shall automatically stand revoked after 5 years.

3. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Mangalagiri, Guntur.

Copy to:
The GoI, MoEF&CC, IRO, Vijayawada
Green House Complex, Gopal Reddy Road,
Vijayawada-520010.
SF/SC.

// FORWARDED :: BY ORDER //

SECTION OFFICER